

MINUTES OF ADJOURNED SPECIAL MEETING REGARDING CHARTER REVISION

FRIDAY, JUNE 17, 1983

17TH BOARD OF REPRESENTATIVES

CITY OF STAMFORD, CONNECTICUT

An Adjourned Special meeting of the 17th Board of Representatives of the City of Stamford was held on Friday, June 17, 1983, to complete the Agenda of the meeting held Tuesday, June 14, 1983. Both meetings were held in the Legislative Chambers of the Board, in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 7:35 p.m. by PRESIDENT JEANNE-LOIS SANTY, after both political parties had met in caucus.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Jeanne-Lois Santy.

ROLL CALL: CLERK ANNIE M. SUMMERVILLE called the Roll. There were 22 members present and 18 absent. Absent were Reps. Guroian, Wider (excused), Saxe (excused), McInerney (excused), Owens, Jachimczyk, Stork, Roos (excused), White (excused), Blum (excused), Hogan (excused), Franchina, Bonner, M. Perillo, A. Perillo, Blais, Rybnick, and Wiederlight.

PRESIDENT SANTY: There being 22 members present, the Chair declares a quorum.

MACHINE TEST VOTE: President Jeanne-Lois Santy conducted a test of the voting machine, asking members to vote, in turn, yes, no, and abstain. The machine was in good working order.

PRESIDENT SANTY: The Special Meeting of the 17th Board of Representatives, held on June 14, 1983, to consider the recommendations of the 13th Charter Revision Commission was adjourned until this evening, June 17, at 7:00 p.m. We will continue on page 67 which was where we were when we adjourned.

MR. BOCCUZZI: Madam President, could we set-down some rules this evening? Last meeting we kept going back to pages after we passed them. I think you should set-down the ground rules that if we are going to be able to go back to pages after we passed them, we're going to be here a long time, and not only that, it gives people an advantage if they want to get something out of the Charter, all they have to do is wait and watch, and when those who were in favor of a particular item leave, they bring it up.

PRESIDENT SANTY: Your remarks are very well taken, Mr. Boccuzzi. I think, at this time, when Mr. Livingston gives the page number, and if there is no comments, I will repeat it, and I will look and if there are no hands raised and no one wishes to speak, we will go on. From that point on, there is no going back. We have to proceed as efficiently as possible.

MR. DIXON: Madam President, as a matter of parliamentary procedure, wouldn't it be necessary for those members voting in favor or against, to be present in this adjourned meeting to reconsider any item?

PRESIDENT SANTY: We cannot reconsider any item that we did the other night, Mr. Dixon. There is no reconsideration. It's too late for that. We are going to proceed and go on. Mr. Livingston, you left off on page 67. Mr. Livingston is Co-Chairperson of our Committee of this Board. We'll give the page number. He will make remarks if he has too at that point. I will repeat the page number. If there are no hands raised, we will go on from that point. Mr. Livingston, we are now on page 67.

PAGE 67: MR. LIVINGSTON: Page 67 has been deleted.

MR. FLOUNDERS: I move that page 67 be reinstated.

PRESIDENT SANTY: A motion has been made and seconded to reinstate page 67. Any discussion? We'll move right to a machine vote.

MR. DUDLEY: Didn't we reinstate the whole Board of Finance?

PRESIDENT SANTY: Yes. We don't really need the motion. What we had discussed previously at the other meeting, was what we had done if it went back to the original Charter that when we send our recommendations to the Commission, we assume that they would follow it up with the efficiency of reinstating what we wanted. This is what they had done in their deliberations, but we reinstated the Board of Finance. We'll go to our Parliamentarian, Mr. Donahue.

MR. DUDLEY: Then I don't really know if a vote is necessary.

MS. SUMMERVILLE: As a seconder to the motion, I think it is necessary for you to make that policy a part of this meeting, I would be very comfortable in withdrawing my second, but only if that statement that was made in the meeting on Tuesday night, will be made tonight as the agreement of this Body. That is the only way I'll agree to withdraw my second.

PRESIDENT SANTY: This is a continuation of a meeting that we had the other night. Mr. Donahue, do you see any problem with just convening with what we did on Tuesday night?

MR. DONAHUE: No, I think it was understood the other night that once we acted upon an issue, we assumed that, and part of the report would state that goes to the Commission, that the Board of Finance, in fact, was reinstated by the Board or recommended to them to reinstate the Board of Finance, and, therefore, references to it would have to be included in their draft if they choose.

PRESIDENT SANTY: I think the mention was made also that in many times the language, we certainly couldn't keep track of it. It was brought to our attention that we have to leave it up to them.

MR. FLOUNDERS: Madam Chairman, under the circumstances, I withdraw my motion.

PRESIDENT SANTY: Thank you, Mr. Flounders. We'll continue.

MR. DIXON: Madam President, we will be coming to a similar situation as we proceed throughout the Charter, and I just hope that what we have just established will apply to those similar situations that we are bound to encounter later on.

PRESIDENT SANTY: Yes, they will, Mr. Dixon. When our recommendations go back to the Commission, they will understand what we want; what our intent is. We'll go page by page now.

PAGE 68: MR. LIVINGSTON: Page 68 has been deleted.

PRESIDENT SANTY: But it is there by virtue of the fact that we reinstated the Board of Finance.

MR. LIVINGSTON: Correct, Madam President.

PAGE 69: MR. LIVINGSTON: Page 69 is the same.

MR. DONAHUE: I think that at this time, it may be advisable for us to go from page 69 thorough page 87. The next pages in here concern the Zoning Board, the Planning Board, and the Zoning Board of Appeals. We have already discussed the fact that if we're going to attempt to make changes in these areas, we would have to do it by an act of state legislature. So as these pages are substantially the same, I believe they are identical to what was in the current Charter, I don't believe that we have to go page by page through this section unless anyone on the Board would feel otherwise. I think we should continue with the Board of Tax Review on page 87.

PRESIDENT SANTY: There's no motion on the Floor. Do you want to make that into a motion, Mr. Donahue?

MR. DONAHUE: I could move it but it is just a suggestion.

PRESIDENT SANTY: I think it's a good point.

MRS. MAIHOCK: Through you, Madam Chairman to Mr. Donahue, on page 76, Mr. Donahue, Section 6-30-23. Saving Clause, would you be able to explain to us if this should be removed as it has (inaudible).

MR. DONAHUE: It looks like this originally referred to the first Charter, and was a protecting clause to subdivision regulations that may have been in effect before the first Charter was drafted or as the first Charter was drafted. It doesn't appear to have a real meaning at this time.

PRESIDENT SANTY: Mr. Donahue, I think it's faster the other way since Mr. Livingston started. All he has to do is go page by page and say no change at this point. I think we are going to have other questions on this. Mr. Livingston, you're on page 69 and just say no changes as we go on the pages.

PAGE 69: MR. LIVINGSTON: Page 69 no change.

PAGE 70: No change.

PAGE 71: No change except for the word -his.

PAGE 72: No change.

MR. LIVINGSTON: (continuing)

PAGE 73: No change.

PAGE 74: No change.

PAGE 75: No change.

PAGE 76: A few changes. They are changes that describe the new act of the Charter.

MRS. MAIHOCK: I can comment on that; particularly on the appeals. That was one that I recommended because it happens to be the new judicial district names, so it is perfectly alright.

PRESIDENT SANTY: Mr. and Mrs. Perillo have now arrived. We now have 24 members present.

PAGE 77: MR. LIVINGSTON: Page 77 no change.

PAGE 78: No change.

PAGE 79: A few changes; only schematic.

PAGE 80: No change.

PAGE 81: Just a word, Act.

PAGE 82: No changes.

PAGE 83: His is only changed.

PAGE 84: The words act, Fairfield, act, he-finds that, he-issued, he-may-issue, act only changes.

PAGE 85: The last paragraph under Saving Clause: Changed, deleted.

PAGES 86 & 87: No changes.

PAGE 88: There are changes. (Stamford Golf Authority)

MR. DeLUCA: I'd like to make a motion to make one additional change on page 88, Sec. 6-70-3. User Fee. I'd like to strike-out the words may be and substitute "The Stamford Golf Authority is required" to pay a user fee. Shall. "The Stamford-Golf Authority shall be required".

PRESIDENT SANTY: Is there a second? There's a second to that motion. Several seconds. Any discussion? No discussion, we are going to move right to a machine...

MR. DIXON: Mr. DeLuca, are you speaking of the members of the Stamford Golf Authority that have taken advantage of free plays?

MR. DeLUCA: No, I am talking about whatever funds they have left over the operating funds to reimburse us for our bond money that we put up and the operating money that we put up at the beginning. This is what we've been discussing during our Appointments Committee meetings; trying to get them to reimburse the City some money.

MR. DIXON: Thank you.

PRESIDENT SANTY: No discussion, we are going to move right to a machine vote. If you are in favor of Mr. DeLuca's motion to insert "shall be" required, please vote yes. Has everyone voted? The motion PASSED UNANIMOUSLY.

MR. DeLUCA: I don't know if it is possible at this time, if per chance, is there a way that, maybe, you can send a letter to the Charter Revision Commission... guess not, let's just forget it.

PRESIDENT SANTY: Mr. Robert Pepi is here assisting us tonight. He worked for the Commission, and he is working along with the book for efficiency to make sure that on Wednesday when we have our report sent back, that it's accurate.

PAGE 89: MR. LIVINGSTON: Page 89. (Public Works Commission)

MRS. MAIHOCK: I make a motion to delete both paragraphs on page 89.

PRESIDENT SANTY: You are making a motion to delete both paragraphs. No, we deleted this the other night, Mrs. Maihock.

MR. LIVINGSTON: Page 89 is referred to on your significant change proposals. It's item #3.

PRESIDENT SANTY: We're on page 89 now, but we defeated that the other night. So, we are finished with that.

MR. DIXON: Madam President, what was defeated the other night, I believe, had more to do with the Public Works Commissioner, did it not; with regards to that position being changed to Director? Is that what was deleted?

PAGE 90: MR. LIVINGSTON: Page 90, Police Commission. There are changes, deletions.

PAGE 91: There are deletions.

PAGE 92: Page 92, referring to the Fire Commission. There are deletions.

PAGE 93: Again, there are deletions.

PAGE 94: There are deletions.

MRS. GOLDSTEIN: Madam Chairmain, isn't this where we had wanted to make that change vis-a-vis the Health Commission? I had mentioned at some point earlier on that I would like to make a recommendation that they Charter Revision Commission give some teeth, some significant inherent powers to the Health Commission and the Welfare Commission. I don't have those specific changes, but when speaking to the Chairman of the Commission, he suggested that I make a motion that they do this, and then they'll come back if they vote on it and approve it, they'll come back with changes and then we'll have another shot at voting for it. So, I will move that we request that the Charter Revision Commission gives considerably more powers to the Health Commission so that it becomes a much more effective and activist body in relation to the Health Department.

PRESIDENT SANTY: Give considerably more power to ...

MRS. GOLDSTEIN: To the Health Commission so that it has greater powers in relation to the Health Department.

PRESIDENT SANTY: A motion has been made and seconded. Discussion.

MR. DIXON: Mrs. Goldstein is absolutely right. This is a matter that we have discussed in Appointments Committee meeting on just about every occasion of making a reappointment. The Commission members say to us that they simply have no clout, no voice in policy making whatever, and they're just a paper commission, so to speak. It has always been my feeling, very firmly, that any commission should have some charge over the affairs of a department. Being an advisory commission carries no weight at all; advice does not have to be accepted or even dealt with in any way.

We are hiring directors now from out of town and all over the state and country, and the commission is made up of local people almost always and those local people know what the Stamford citizenry needs and desires, and they know what is in the best interest of the City of Stamford and they should have some voice in policy making for the good of the City. I think by all means, we should, once and for all, give them some authority whereby they can help the City to grow and actually take on and assume some responsibility for the City. Thank you.

PRESIDENT SANTY: Thank you, Mr. Dixon. Any other discussion?

MR. TARZIA: Thank you, Madam Chairman. I, too, agree with what Mr. Dixon has said. I feel that if we are going to have a Health Commission, we should hold them accountable for the work of the Health Department, and the only way that you can do that is by giving them the policy making authority which they must have. Thank you.

PRESIDENT SANTY: Thank you.

MR. LIVINGSTON: Yes, Madam President. I, too, agree with Mr. Dixon and I suggest that the same thing should be done to our Coliseum Authority Advisory Panel.

PRESIDENT SANTY: Thank you. No further discussion, we'll move right to a machine vote. We are voting on Mrs. Goldstein's motion to give recommendation to the Charter Revision Commission to give considerably more power to the Health Commission so it has greater powers.

MR. DIXON: One point of clarification. Madam President, I think that motion includes the Welfare Commission.

PRESIDENT SANTY: We'll do that on the next page. We're just doing one page at a time, Mr. Dixon.

MR. DIXON: Thank you.

MRS. GOLDSTEIN: I think that, probably, the first "power" should be changed to "policy" making power, and I think that that would make it a little clearer.

PRESIDENT SANTY: Has everyone voted? The motion PASSED 21 affirmative, 3 not-voting.

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PAGE 95: MR. LIVINGSTON: Madam President, page 95 refers to the Public Welfare Commission.

PRESIDENT SANTY: Mrs. Goldstein, do you want to make your motion?

MRS. GOLDSTEIN: I'd like to move the same thing as for the Health Commission.

MS. SUMMERVILLE: Just make it clear that you can't make those kind of

PRESIDENT SANTY: She wanted to speak to both of them and I recognized her.

MS. SUMMERVILLE: I want to speak to the next five.

PRESIDENT SANTY: O.K. A motion has been made to give considerably more policy making power to the Public Welfare Commission. Made and seconded. Any discussion?

MS. SUMMERVILLE: I'm telling you like Mrs. Goldstein told you. On the next five pages, I want to speak first.

PRESIDENT SANTY: Do you want to speak now?

MS. SUMMERVILLE: No, not now.

PRESIDENT SANTY: A motion has been made. No other discussion? We'll move right to a machine vote. Has everyone voted? The motion PASSED UNANIMOUSLY. 24 affirmative votes.

PAGE 96: MR. LIVINGSTON: Page 96 refers to the Parks and Recreation Commission and there are changes, numerous changes. I imagine you would be looking for comments from the Floor.

MS. SUMMERVILLE: I would make a motion that we accept the changes that were presented before us for the Parks and Recreation Commission.

PRESIDENT SANTY: Is there a second to that motion? Several seconds.

MR. ZELINSKI: At this time, would it be proper to make an amendment to that motion? I'd like to make a motion to change the number which if five members, to change that to 10 members.

PRESIDENT SANTY: You're amending Ms. Summerville's motion to consisting of 5 members to 10 members.

MR. ZELINSKI: Yes.

PRESIDENT SANTY: Is there a second to that motion? Is there a second? I'm sorry, it's not on the Floor for a lack of a second.

MR. DeLUCA: I just want to make one change if we are going to send this back; where it says, "Section 6-80-2, that should really be "Section 6-00-2" because no where in this Charter do we have a 6-80-2.

PRESIDENT SANTY: What is it, Gabe?

MR. DeLUCA: 6-00-2.

PRESIDENT SANTY: It's on page 96, third line down. Gabe brought it to our attention that's incorrectly numbered.

PRESIDENT SANTY: We have a motion on the Floor. Any other discussion to Ms. Summerville's motion? We'll move right to a machine vote. Has everyone voted? The motion PASSED UNANIMOUSLY 24 affirmative votes.

PAGE 98: MR. LIVINGSTON: Page 98. (Personnel Commission)

MR. DeLUCA: This evening, this particular page is at the request of Mr. Philip Stork who is unable to be here until 11 o'clock. I believe everyone should have received a copy in their mail, yesterday, at least I got mine yesterday. Therefore on page 98, at the top of the page, I'd like to amend it to read...

PRESIDENT SANTY: Mr. DeLuca, I think we all received these in the mail. I think you are going to have to read them for the record.

MR. DeLUCA: That's what I had planned. I hate to belabor the point, but at the request of Phil Stork; item #7 at the top of the page where it reads, "Personnel Commission," change that to read, "Citizen Personnel Advisory Board," and I so move.

PRESIDENT SANTY: Is there a second to that motion? Several seconds. Discussion?

MR. BOCCUZZI: Madam President, I think before we start changing the name, I think we should find out because everything is referred to later on Citizen Advisory Board, and if we change the name and don't agree to the changes, then what are we going to do: put it back to Personnel Commission? I think what we are going to have to do is find out what all the changes are so we can know where we are going, because the changes refer to the name, and if you don't agree with the changes, how could you change the name first?

PRESIDENT SANTY: Mr. DeLuca, I think that you are going to have to incorporate this in one motion since it refers to the whole section.

MR. DeLUCA: O.K., I'll make one motion.

PRESIDENT SANTY: I think that you are going to have to move the whole package.

MR. DeLUCA: I move the whole package.

PRESIDENT SANTY: Is there a second to that? There is a second. Discussion?

MR. DIXON: I would have to question and I did this because I haven't had the opportunity to read through that very thoroughly. I would have to question the name "Advisory Board" is it? Are we getting into something now that is just merely a commission with advisory authority the same as what we've had with the Health Commission and the Welfare Commission? We're talking about advisory. Now, is that the limit of their authority is to advise?

PRESIDENT SANTY: Unfortunately, Mr. Dixon, the maker of this proposal is not here this evening. I don't know who can answer the questions on this. Obviously, I think he want us to take over the whole section of the Personnel Commission. You're asking a question, and I don't know if there is any one here that is qualified to answer the question.

MR. DIXON: If it ends up as being an "Advisory Commission," it seems to me that it would delete a lot of the authority that they have presently.

MS. DeGAETANI: Further down in that thing is an outline of the Duties of the Advisory Board and it says, "To serve in an advisory role on broad policy questions."

PRESIDENT SANTY: Any other discussion? The motion is on the Floor and seconded. We are now dicussing this whole package.

MRS. GOLDSTEIN: Thank you, Madam Chairman. I'm really opposed to these changes. I think that the Personnel Commission; first of all, we don't have a Citizen Planning Board in title; we don't have a Citizen Zoning Board in title. Everything in the City that is a Board is composed of citizens of the City. So, I really think it would be redundant to add "citizen" so, just from beginning the title, I don't think we should do it.

But what I found particularly offensive is at the end of the Personnel Hearing Officers, that change. We once had that in the Charter. Those of us who have been on the Board for 8 or 10 years, remember how we worked very hard to rid the Charter of the Personnel Hearing Officers which were composed of Board of Representatives members because of how politicized that process was. I really would hate to see us reinstitute something that was really negative when we had it, and I hope that the entire package is just turned down.

PRESIDENT SANTY: Thank you, Mrs. Goldstein.

MR. FLOUNDERS: Thank you, Madam President. I have another concern and that is, apparently, the structure of the Personnel Commission was gratified by referendum at various times in the past, and I just wonder what the legal implications are of changing, arbitrarily changing the name of this Body, and I think that there are technical difference. Though I am not a lawyer, I think there are technical difference between a commission and an advisory board, and I just think we may be unilaterally attacking something here that we know nothing about. I think we need at the very least some legal advice on this.

PRESIDENT SANTY: Thank you, Mr. Flounders.

MRS. CONTI: Yes. I would just remind Mr. Flounders that this, too, would have to go to referendum. If we pass this and the Charter Revision Commission passes it, and it goes on the voting machine, that is a referendum, and that's how all the other changes in the Charter were accepted.

PRESIDENT SANTY: There is one other stop; it does come back to us for final approval before it goes on the referendum, too. Any other discussion? If not, we'll move right to a machine vote on the acceptance of this Citizen Advisory Board, page 98 of our Charter. Has everyone voted? The motion is LOST
3 affirmative, 17 negative, 1 abstaining and 3 not-voting.

MR. DeLUCA: At this time, I would like to make one change, one amendment. It's on page 99, item (4), I'd like to add the words, To make an annual report to the Mayor "and Board of Representatives." Everything else stays the same.

PRESIDENT SANTY: There's a second to that motion? Seconded. Any discussion? No discussion. We'll move right to vote. We're voting on Mr. DeLuca's motion to insert, "the Board of Representatives" after Mayor on page 99: Duties of the Personnel Commission Generally. The motion PASSED 23 affirmative, and 1 not-voting. Mr. Livingston, I think we're on page 100.

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MRS. MAIHOCK: I would like to inquiry if anyone has information on why Section 6-80-77 was deleted? It would seem that it would be very important that the rights of the person called before the Personnel Commission should be stated as clearly as possible as part of the due process. I don't believe for "cause" on page 100 is sufficiently explanatory. I would, therefore, like to make a motion to reinstate Section 6-80-77.

PRESIDENT SANTY: A motion has been made. Is there a second to that motion? There is a second to reinstate the whole Section 6-80-77. Discussion?

MRS. GERSHMAN: I think that it is redundant. I don't think that it is necessary to reinstate this, and, in fact, I think that it might be too constricting. I think that the Personnel Commission has the powers to judge what the grounds for dismissal and demotion or suspension or demotion in rank should be, and it should not be in the Charter as such.

PRESIDENT SANTY: Thank you.

MR. GAIPA: I think based on my years of experience in personnel work, what happens when you make a list like this is that you somehow or the other, forget something and sure as it will happen, some employee will commit that offense, and it is not on your list, so, therefore, you can't do anything about it. By leaving it more general as "cause" and leaving it up to the Personnel Commission, you have far more flexibility in applying the type of proceeding that's necessary.

PRESIDENT SANTY: Thank you, Mr. Gaipa. Mrs. Maihock, you didn't speak to your motion, did you? I'll give you the opportunity now.

MRS. MAIHOCK: My only comment is that I feel that the circumstances the way you described them, do not really give the person who is really being investigated the ability to know what for "cause" is. I mean it's a subjective statement and who knows what the cause might be. I would like to feel if I were brought before a Body, I would certainly like to know what charges I could be tried on.

PRESIDENT SANTY: Thank you.

MRS. CONTI: Yes, thank you, Madam President. Mr. Gaipa's point was well taken. However, this does say here preceding this list, "The grounds for demotion in rank or grade or discharge shall include but not be limited to the following:" Therefore, the list is not limited. So, there would be no problem with that.

MRS. GERSHMAN: In answer to Mrs. Maihock's question, I believe that is in the Personnel Procedures and Policies' Handbook.

PRESIDENT SANTY: Thank you, Mrs. Gershman.

MR. DZIEZYC: Thank you, Madam President. There's enough points covered in there that take care of all the things that Gaipa talked about: Incompetency, misconduct, neglect of duty; insubordination; failure to perform adequately the duties and responsibilities required for the job." All these would cover everything so there wouldn't be any problem, I think.

PRESIDENT SANTY: Thank you, Mr. Dziezyc.

MR. FLOUNDERS: I move the question.

PRESIDENT SANTY: A motion has been made and seconded to move the question. All in favor of moving the question, please say aye. Opposed? One no vote; we're going to move the question. The question is on the reinstatement of that Section 6-80-77. Please use your machine. Has everyone voted? The motion has LOST 7 affirmative, and 17 negative.

PAGE 100: MR. LIVINGSTON: Page 100, ... of that.

PAGE 101: PAGE 102: PAGE 103: PAGE 104: PAGE 105: PAGE 106: PAGE 107: PAGE 108:

PAGE 109:

MR. DUDLEY: I have one brief statement that I would like to add to Section 7-10-4. Resignations. "Any officer desiring to resign may present a resignation," I would like to add the words, "by registered mail" in the manner as follows:

PRESIDENT SANTY: "By registered mail." Is there a second to that motion? Seconded. Any discussion? No discussion, we will move right to a machine vote. A motion has been made and seconded to insert after "a resignation 'by registered mail' as follows:" Please use your machine. Has everyone voted? The motion has PASSED 20 affirmative, 1 negative, 1 abstaining and 2 not-voting.

PAGE 110: MR. LIVINGSTON: Page 110

PAGE 111: PAGE 112: PAGE 113: PAGE 114: PAGE 115: PAGE 116: PAGE 117:

PAGE 118:

PAGE 119: MR. GAIPA: I have a question here. I hope someone can answer about including part-time, down about the third paragraph from the bottom, The Classified service shall include all other positions, whether full time or part time, now existing or hereafter created. The Charter Revision Commission has added "part time" in there. What do they mean by "part time?" Does that mean 5 hours a week, 10 hours a week?

PRESIDENT SANTY: Is there anyone that can answer that question?

MS. SUMMERVILLE: I think on some jobs it means less than 20 hours.

MR. GAIPA: Yes, usually it does mean less than 20, and if it's less than 20 which I think Ms. Summerville is correct, then I would move to delete "part time" from there.

PRESIDENT SANTY: A motion has been made and seconded to delete "or part time." "Or part time," Mr. Gaipa?

MR. GAIPA: Yes, "or part time."

PRESIDENT SANTY: We are now on Page 119, under (g), the second paragraph underlined, The Classified Service shall include all other positions, whether full time now existing or hereafter created. Mr. Gaipa's motion is to delete, "or part time." A motion has been made and seconded.

MR. GAIPA: It would probably read better if it just said, "full time positions."

PRESIDENT SANTY: Right, we can include that. I'm sure when it goes back to the Commission, I'm hoping they'll do the language. "The Classified Service shall include all full time positions," then. You changing it to read that, Mr. Gaipa?

MR. GAIPA: Yes.

PRESIDENT SANTY: Is there a second to that? Seconded. "The Classified Service shall include all full time positions." Any discussion?

MRS. CONTI: I would like to inquire when they say, "All full time positions," does that now eliminate those positions that were previously created by ordinance and were not classified?

PRESIDENT SANTY: Can anyone answer that question.

MS. SUMMERVILLE: The way I interpret it.....

MRS. CONTI: It's distinguishing the classified employees, I believe, is it not?

MRS. GOLDSTEIN: Betty, it's really in the Charter right now. It's really no major change. The only thing they had added was, "part time" because if you look under (g), you'll see that what was scratched out was "The Classified Service shall include all other positions now existing," so that we're not really making any change other than deleting, "part time."

MRS. CONTI: In otherwords, they left the previous one which was unclassified as designated by ordinance.

PRESIDENT SANTY: No discussion? We'll move right to a machine vote. If you are in favor of Mr. Gaipa's motion to include "all full time positions," please vote yes. If not, vote no. Has everyone voted? The motion PASSED 22 affirmative, 1 negative and 2 not-voting.

PAGE 120: MR. LIVINGSTON: PAGE 120, PAGE 121: PAGE 122: PAGE 123: PAGE 124:

PAGE 125: MR. GAIPA: In (b), the age was changed from 65 to 60. Is there someone that knows why that was done?

PRESIDENT SANTY: I don't think anyone can answer that question, Mr. Gaipa.

MRS. GOLDSTEIN: In all likelihood, it conforms to the current union contracts.

MR. GAIPA: Thank you.

PRESIDENT SANTY: That's a good explanation.

MR. TARZIA: In light of the fact that, perhaps, it does conform with union contracts, what happens in the future that that contract has changed? Does the contract supercede the Charter or what happens?

PRESIDENT SANTY: Is there a motion, Mr. Gaipa, or just a point of clarification?

MR. GAIPA: Just a point of information.

PAGE 126: MR. LIVINGSTON: PAGE 126.

MR. GAIPA: Up at the top of page 126, where they have crossed out all of this and added a new sentence. Is this also because of new bargaining agreements or contracts that we have?

PRESIDENT SANTY: Mr. Gaipa, there is no one here really to answer that question.

MS. SUMMERVILLE: If I recall, I don't know whether it was the life of this Board, or the life of the other Board, unless I'm on the wrong track, something happened with the pension of a deceased person, our Board somehow changed something, but it seems as if it is the same kind of thing here where the member had deceased and what happens to the pension. It was a long conversation. Mr. Boccuzzi, do you recall that? You have been here that long. You know what I'm talking about?

MRS. GOLDSTEIN: When we questioned Mr. Cacace, he said they really didn't make any intrinsic changes in the pension section. I have to believe it deals with the contract and anything like that, but, Madam Chairman, I really think that in your letter to them, along with the other things that we mentioned, we should ask if they made any substantive changes in the pension section because if we don't agree with those changes, then we will have a chance to change them at our next meeting. I'm almost a 100% certain that these are conforming changes to contractual matters. It's just a very good second check, and I have just gotten confirmation of it.

PRESIDENT SANTY: There's no motion on the Floor. Mr. Gaipa, are you finished?

MR. GAIPA: Yes, I think Mrs. Goldstein's suggestion is very good.

PRESIDENT SANTY: Mr. Gaipa, this is going back to the Commission and it is coming back to us again. We do have another chance to discuss this and vote on this. These are our recommendations. I'm sure these things will be clarified at that time. Mr. Pepi is here with his tape recorder and he's going back, and we're making sure that all these remarks are entered into the record.

MR. GAIPA: We're talking about millions and millions of dollars here.

PAGE 126: MR. LIVINGSTON: PAGE 126: PAGE 127: PAGE 128: PAGE 129: PAGE 130:

PAGE 131: PAGE 132: PAGE 133:

PAGE 133: MS. DeGAETANI: I was told by a member of Charter Revision Commission that when they deleted pages 131 and 132, they should have also deleted 133, 134, and 135. So, I will move to delete page 133.

PRESIDENT SANTY: You are moving page 133 from the record?

MS. DeGAETANI: Yes, Ma'am.

PRESIDENT SANTY: Is there a second to that motion? Several seconds.

MS. SUMMERVILLE: I think it is important; would it be putting you in an imposition if you told for the matter of the record, who told you that? Because I wouldn't want to be led, not to say that anybody is dishonest, but someone's assumption of something or interpretation of something, could be totally different than another. Could you for the record state who told you that?

MS. DeGAETANI: Yes, it was Mr. Cunningham who stated it and it is part of the custodians and mechanics pension plan.

MS. SUMMERVILLE: Thank you.

MRS. HAWE: I believe that Ms. DeGaetani is right, but I really don't think it makes too much difference because if they meant to eliminate it when we send it back to them, they will eliminate it.

PRESIDENT SANTY: A motion is on the Floor to eliminate page 133. Any further discussion? We'll now move right to a machine vote. Has everyone voted? The motion PASSED 14 affirmative, 3 negative, 4 abstaining and 4 not-voting.

PAGE 133: MR. LIVINGSTON: PAGE 133: PAGE 134:

PAGE 134: MS. DeGAETANI: I move to eliminate this page also.

PRESIDENT SANTY: Is there a second to that motion? Seconded. Any discussion? We'll move right to a machine vote on the elimination of page 134. Has everyone voted? The motion PASSED 14 affirmative, 2 negative, 4 abstaining and 5 not-voting.

PAGE 135: MR. LIVINGSTON: PAGE 135

MS. DeGAETANI: I would move to eliminate this page also.

PRESIDENT SANTY: There is a motion to delete this page. Seconded. Any discussion? We'll move right to a machine vote. Has everyone voted? We're voting on the deletion of page 135. The motion PASSED 14 affirmative, 3 negative, 6 abstaining and 2 not-voting.

PAGE 136: MR. LIVINGSTON: PAGE 136: PAGE 137: PAGE 138:

PAGE: 137: MRS. GUROIAN: You know, of course, all of that will have to be changed back again now.

PRESIDENT SANTY: Mrs. Guroian, we discussed that earlier. You weren't here.

PAGE 139: MR. LIVINGSTON: PAGE 139: PAGE 140: PAGE 141: PAGE 142: PAGE 143:

PAGE 143: MR. DeLUCA: I'd like to make an amendment on this page, page 143, Section 8-30-7. Fixing of Tax Rates. I'd like to have that section amended to read, "On or before the thirty-first day of May, the Board of Representatives shall approve, and/or amend the tax rates and service charges determined by the Board of Finance."

PRESIDENT SANTY: Mr. DeLuca, one moment. Mr. DeLuca's motion...you are deleting... Mr. DeLuca, one moment. Let's go back to your motion. You want to delete that whole section 8-30-7?

MR. DeLUCA: No, I'm not saying delete the whole section.

PRESIDENT SANTY: You're just adding.

MR. DeLUCA: I'm just adding where it says, "On or before the twenty-fifth day of May" I want to change that to read, "On or before the thirty-first day of May, the Board of Representatives assisted by the Commissioner..." It says the "Board of Finance." In other words, the Board of Finance is going to vote on it and send it back to the Board of Reps, and I want them to send it back to the Board of Reps for confirmation.

PRESIDENT SANTY: Mr. DeLuca, just repeat your motion again and we get a second. You have a second to your motion. Just repeat it so we're clear here.

MR. DeLUCA: The way this here reads now, if it goes back to the old way which will be Section 6-17 in the old Charter, would read, "On or before the twenty-fifth day of May, the Board of Finance, assisted by the Commissioner of Finance shall," it going to read the old Charter. I want to incorporate into this here section, "On or before the thirty-first of May, the Board of Representatives shall approve, and/or amend the tax rates and service charges determined by the Board of Finance."

What I'm saying is that for the past years, we make all our budget cuts, we go through line by line, etc., we send it back to the Board of Finance and they determine the mill rates. I feel that since it is the Board's position to vote on the budget, we should also have the right to vote on the mill rate also for several reasons. In years gone by, we made numerous cuts after spending hours upon hours here based on our Fiscal Committee's recommendations, we never had the Board of Finance incorporate any of the changes and deletions that we made. I feel that since we vote on this matter (inaudible) as far as appropriations go. We go through the whole review process. This should be our duty also to set the mill rate.

PRESIDENT SANTY: Fine, Mr. DeLuca. Discussion?

MRS. GOLDSTEIN: Thank you, Madam Chairman. I think one of the problems in the past was that we didn't have the contingency fund set in the Charter, but, I believe that now we will have that. I don't believe that the Board of Representatives ought to fix the mill rate. I really do not. Your amendment as it's stated, wouldn't accomplish it anyhow, Gabe. Approve means that we can reject it too, and I really don't think it's a good idea for both Bodies to act on it.

PRESIDENT SANTY: The motion on the Floor from Mr. DeLuca is, "On or before the thirty-first day of May, the Board of Representatives shall approve and/or amend the tax mill rate decided by the Board of Finance."

MR. DeLUCA: Just a response to Mrs. Goldstein's remarks about the contingency fund being in the Charter. This past budget session, Commissioner Marra put the contingency fund as part of the budget, only to have the Board of Finance remove it, whereby, the Board of Representatives didn't have a chance to look at it. Incoming Commissioners of Finance are going to put the contingency fund in, the Board of Finance is going to knock it out without us given the right. I feel this here is going to give us some say as to what's really going to be the contingency fund, and also give us some say as also how the mill rate should be set; whether or not all the cuts that we make are being put back in. If we can sit here and make cuts that we feel are logical and sensible and then have somebody over-rule us, I think that's wrong.

PRESIDENT SANTY: Thank you, Mr. DeLuca.

MR. TARZIA: While I can appreciate the concerns of Rep. DeLuca, the problem I would find with this is that the Board of Finance is privy to certain information which we are not, and while I also sometimes do not agree with the way they set up the contingency fund, I think it would not be a good idea to have the Membership of this Body without the expertise, make that decision. That's really the only problem I have with that. Thank you.

PRESIDENT SANTY: Thank you, Mr. Tarzia.

MRS. HAWE: I think that if the Board of Finance is going to continue in existence that they should be in charge of setting the mill rate, and the only reason why I feel that way is because that they serve a different constituency. They're elected city-wide and they are not as prone to be looking at things in a more provincial way that members of this Board might.

However, I understand what Mr. DeLuca is saying and I think there's a lot of validity to it. What I find the frustrating thing is that when we send the budget back to the Board of Finance, they put in a contingency fund that we have no say over, and actually, the contingency fund is really a big part of what goes into making the mill rate or changing the mill rate. We get tentative mill rate figures and then the Board of Finance puts in a larger contingency fund or raises it or whatever, and the mill rates that we expected are different. So, I would make a motion after we vote on this one that, perhaps, the Board of Reps have the authority to have the final say over the setting of the contingency fund which I think is in the Charter as sent to us now, but that's only because the Charter Revision Commission recommended the elimination of the Board of Finance. They have given us that power, but if the Board of Finance is to continue in existence, then I think that we should have the final say over the contingency fund.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

MR. DIXON: The Board of Finance has been deleted entirely in this particular section. We have reinstated the Board of Finance, and, I believe that it has been the duty of the Board of Finance, and I certainly believe it should continue to be that duty to set the mill rate and to establish whatever contingency fund they deem necessary.

As the Board of Finance being in charge of the financial matters of the City of Stamford, I would rather think that it should be incumbent on that Board to follow through with mill rate and the contingency fund, and if the Board of Representatives is to play any role whatsoever in that, it should be to give final approval of the action of the Board of Finance with the assistance of the Finance Commissioner. What I'm saying is that if the Board of Representatives should have any role in that whatsoever, it should be merely to approve of the action taken by the Board of Finance and the Commissioner. Thank you.

PRESIDENT SANTY: Thank you, Mr. Dixon.

MS. SUMMERVILLE: There's a possibility that I'm misinterpreting the past speaker. I don't think we play a role, I think we make decisions. The Board of Finance is not subordinate over the Board of Representatives. Wrong word, subordinate. The Board of Finance is not over the Board of Representatives. I see all of us a part of the decision making. I don't think that the role that the Board of Representatives plays, especially our experts on the Fiscal Committee. I think that they could easily set the mill rate just as good as the persons upstairs. Through Madam President to Rep. Goldstein, I would like to know why is it that she feels that the Board of Representatives should not set the mill rate and it should be the Board of Finance.

MRS. GOLDSTEIN: I agree with what Mrs. Hawe said. The Board of Finance, being elected city-wide, has more of an over-view, a perspective and they won't be subjected to the district-wide pressures that we are as members of the Board of Reps.

MRS. GOLDSTEIN: (continuing) But, you are absolutely right, Ms. Summerville, in saying that we're not subordinate to the Board of Finance, and I think that that could be handled. It all relates really to the contingency fund, and we should, I believe, have some kind of control over what is placed in that contingency fund or at least some kind of say, of approval. If this is defeated, I believe that somebody could move that both the Board of Finance and the Board of Representatives shall approve the contingency fund which would make part of the budget.

MS. SUMMERVILLE: Thank you, Madam President. I haven't finished. Thank you for your answer, Rep. Goldstein. Through you, Madam President to Rep. Tarzia, I have two questions. I heard you state, if I am incorrect, you quote me right, you said that they are privy to information that we do not get. Would you explain that?

MR. TARZIA: When they meet, the Commissioner of Finance normally is there to answer questions. It's not as a formal meeting as ours, and, therefore, I'm quite sure that throughout the year at their meetings, they get information that we do not get, and even if we have it, it justs impossible to digest that type of information; at least as a 40 member body. I would find it very difficult to be able to say that anyone of us would be able to deal with that problem as efficiently as the members on the Board of Finance should deal with that. Now whether they do or not is another question.

If you're talking about the contingency problems we're having, that's another question again, but I don't think that's the way to go for this Board to set up the tax rate.

MS. SUMMERVILLE: Second, I disagree with what you have said. I happen to go to a lot of the Board of Finance meetings and I also attend many of our Fiscal Committee meetings, and I do know the presence of the Commissioner of Finance is there. If he's not there, Frank Harrison who works in that department is there. I think Frank is very qualified. He's been here longer than any commissioner.

The second question is what bothers me a lot is that I heard you say something that we do not have the expertise.

MR. TARZIA: That's right.

MS. SUMMERVILLE: Would you explain that?

MR. TARZIA: I don't think we as individuals have the expertise because we don't put in the time dealing with the finance of the City.

MR. DeLUCA: I think that's a point of personal privilege.

PRESIDENT SANTY: It isn't really.

MR. DeLUCA: We'll speak for ourselves who has the expertise. Don't speak for all the Board members. Maybe you don't have it, but I feel I do.

PRESIDENT SANTY: I know it is upsetting you. You are down to speak, but Mr. Tarzia was asked a question by Ms. Summerville.

MR. TARZIA: Can I answer that question?

PRESIDENT SANTY: No, I think you have answered it.

MS. SUMMERVILLE: Not for me.

MR. TARZIA: I think if there is a general feeling, the feeling being the way that Ms. Summerville feels, maybe we should reconsider the elimination of the Board of Finance, then. What can I tell you? That's my only answer.

MS. SUMMERVILLE: Madam President, through you to Rep. Tarzia, maybe you said it but I didn't hear it, we weren't talking about eliminating the Board of Finance; we were talking about your assumption of the expertise and I asked you what was your reason for making that statement? I'm really serious. I haven't heard you answer the question.

MR. TARZIA: I could go further. This Board handles a lot of matters; we're a legislative Body; we're not a financial expert type of Body, and therefore, to deal with the City of Stamford...maybe the way the Charter Commission intends to set it up is one thing, but the way we want it now, according to our recommendations, you can't have it both ways. Either you have a Board of Finance or you don't.

PRESIDENT SANTY: Thank you, Mr. Tarzia.

MRS. GERSHMAN: I have a point of information, a question. I'm trying to desparately find through all of this material, it seems to be that there is someplace^{where} the budget gives a line item to the contingency fund that the Commissioner of Finance may present. Am I correct or not? 142?

PRESIDENT SANTY: You know what the motion is on the Floor, Bettie.

MRS. GERSHMAN: Yes, therefore, it seems to me that if the Commissioner of Finance can, indeed, give a line item for the contingency fund, that would answer a lot of the questions that we have been discussing about this one particular amendment.

PRESIDENT SANTY: The motion on the Floor is: "On or before the thirty-first day of May, the Board of Representatives shall approve and/or amend the tax mill rate decided by the Board of Finance."

MR. GAIPA: I think the contingency fund is just one part of the pie. Another part is the capital budget. To my knowledge, I believe it is the Board of Finance that determines what amount of the capital budget is going to be financed by the current year taxation, and if this is true and if some particular year, the Board of Representatives spends a great deal of time in reducing the budget because our constituents want to reduce costs, and the Board of Finance when it gets the budget and sets the mill rate, decides to adopt the Greenwich syndrome and finance a big piece of the capital budget with the current year taxes, our work would have been for naught. So, therefore, I think that Mr. DeLuca's motion is very well taken. I would only suggest, however, that he insert another date in there; a date by which the Board of Finance has to set the mill rate so that we can then get it done by May thirty-first. If you don't give them a date prior to ours, I can see us on a Friday night, May 31st, trying to wait for the Board of Finance to come up with their rate so that we can approve it or not.

PRESIDENT SANTY: There's a date. It is, Mr. Gaipa.

MR. BOCCUZZI: I have to disagree with Mr. DeLuca. I think the mill rate is rather a cut and dried process, if you think about it. It's actually set up with a base that is the Board of Ed, the Police Department, Public Works. Then you have another breakdown which is services that certain sections of the City receive; fire services downtown; volunteers which is charged to the certain areas that they service. Really, the mill rate is cut and dried. I don't think there's anyway that the mill rate when it is given to the Board of Finance by the Commissioner of Finance, after he does his work, that it could be changed because it's only taxation to the City as to services received by that part of the City: A, B, C and CS. I don't think there could be any problem there. The contingency fund is about the only one that I think that you can have a problem with, but with 1 mill being \$4 million at the present time, you would have to have a contingency fund say of \$8 million, then reduced by this Board by \$4 million to make it a mill overall in the City. I really don't even think the contingency fund anymore is a great factor in the mill rate because it takes so much to make a mill, and with the contingency fund all you have to do is not approve any appropriations; you'll never use the contingency fund. You still have some control over that. Like I just heard, you're still going to be taxed but the following year, you will have a surplus then you apply it to the future taxes so you get the benefit.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi.

MR. FLOUNDERS: Thank you, Madam President. A lot of what I was going to say has just been said by Rep. Boccuzzi. I, essentially, would like to support points made by Rep. Hawe and Rep. Goldstein.

Setting the mill rate is, indeed, a mechanical thing. It's a mathematical formula. The two judgmental factors in it are, indeed, the two that have been mentioned; setting the contingency fund and also the method of funding the capital projects budgets.

I do think that the Board of Representatives should have some control over the amount of the contingency fund. That is the one judgmental factor. The rest, that and as I mentioned that, and the capital projects budget are the two judgmental factors. The rest of it is mechanical, and it really doesn't matter. There is only one way to do it, and that is to use the proper formula. Once the budgets are set, there is the amount that the City will spend or permitted to spend is set unless we go into deficit. The amount of interest earned depends on the rates; interest rates that happen to be in effect at that time. That affects the amount of money that we earn on the money that we have invested, and it also affects the amount of money that we have to pay on any bonds that we float. It's something over which we have no control. Surplus is again something which we have no direct control except the extent, as was mentioned, that we can, affected by the policy which is used in setting the contingency fund.

What I'm saying is that I would support a motion as was implied by Rep. Hawe to give this Board not responsibility for approving or setting the mill rate, but rather to give this Board responsibility for approving the contingency fund. That is the key issue, I think, and possibly also for determining the method of financing the capital projects budget. Thank you.

PRESIDENT SANTY: Thank you, Mr. Flounders.

MRS. GUROIAN: Through you to Rep. DeLuca, it's not clear in my mind, and let him correct me if I am wrong, by the 25th day of May, the Board of Finance assisted by the Commissioner of Finance shall determine and fix the tax rates and service charges, and then by the 31st, the Board of Representatives approves or disapproves those tax rates. Is that what your proposing?

MR. DeLUCA: Yes, Mrs. Guroian. I'm proposing that we would have a say as to.. we can change the mill rate if we feel by cutting down on the contingency fund, the mill rate can be changed. I feel that we should have a say in it.

PRESIDENT SANTY: Are you finished, Mrs. Guroian?

MRS. GUROIAN: No, because approve or disapprove does not mean that at all. It implies another alternative as well; that it goes back to the Board of Finance if you disapprove it. I think he has to state further what happens. What the powers are of the Board of Representatives in finalizing the tax rate.

PRESIDENT SANTY: Mrs. Guroian, we do have a motion on the Floor and that's the motion we're addressing, and I take your remarks, but the motion is still on the Floor as written, as stated.

MR. DeLUCA: ...at least it came out with a lot of good ideas this evening, and we liable to get some change which I've been striving for several years. I have to disagree with some of the comments made by some people this evening like the Board of Representatives does not have the expertise or not privy to information which I have to disagree with. I think it is our job, if we need the information, we can get the Commissioner of Finance to sit down with us at any time, As far as not having fiscal expertise, I think we had, in years gone by, Chairperson of the Fiscal Committee, such as Sandra Goldstein, John Boccuzzi, Marie Hawe, Paul Esposito, who I feel are highly qualified people, and members of their committee who had fiscal expertise to do what certain Representatives said we cannot do. I have to disagree with Rep. Boccuzzi regarding the Contingency Fund. I feel that even if we can cut the Contingency Fund by a million dollars, which would be 1/4 of a mill; for people on a fixed income, whose income is going in reverse instead of forward, a quarter of a mill, when you are talking about an assessment of \$50,000 or \$70,000, could help instead of eating baloney sandwiches on a Friday, could have a slice of pizza, or something. I feel that whatever cut we can make in that Contingency Fund, would be beneficial, and therefore I strongly disagree. I would not feel bad if my amendment got rejected, because I am sure that Rep. Hawe has come out with an amendment that we had control, not actually control, but that we have a say in the Contingency Fund, that we can reduce us, which would let us end up with the same results that I have been looking for, for the past several years.

PRESIDENT SANTY: There being no further speakers, we are going to move right to a machine vote on Mr. DeLuca's Motion, that on or before the 31st day of May, the Board of Representatives shall approve and/or amend the tax mill rate decided by the Board of Finance. Has every one voted? DEFEATED: 8 Affirmative, 14 Negative, and 2 Non-Voting.

MRS. HAWE: I'd like to make a motion, and I'm not exactly too sure where to put it, but perhaps it could be included in our report back to the Commission; and that would be that the...

PRESIDENT SANTY: You want to enter it on Page 143? We set up the rules so you couldn't keep going back, or we would never finish. Well, make your motion, Mrs. Hawe

MRS. HAWE: Since these are just recommendations back to the Commission, that they can take our recommendation and fit it in where they see fit. But my recommendation would be, my motion would be that the Board of Finance advise the Board of Representatives as to what they feel the Contingency Fund should be and to what Capital Projects they would like to see funded from Taxation, and the Board of Representatives have the final authority to determine the Contingency Fund and to determine which Capital Projects shall be funded through Bonding and which through Taxation. I'll write it.

PRESIDENT SANTY: Several Seconds. Any speakers. Do you all understand the motion? We have it on tape. We'll move right to a machine vote. The Motion is APPROVED: 22 Affirmative, 1 Abstaining, and 1 Non-Voting. We can add that on the top of page 143. Insert it where they want it.

Pg. 144 MR. LIVINGSTON: Page 144, 145.

Pg. 145 MR. DeLUCA: I would like to make a change on this page here. Section 8-30-8, where it says "no money appropriated for any item shall be used for any other purpose, but transfers of appropriations may; with the approval of the Board of Finance (which, naturally you are going to put that in) and Board of Representatives", I would like to include Board of Representatives.

PRESIDENT SANTY: It is already there, though. Seconded.

MR. DeLUCA: No.

PRESIDENT SANTY: All right, your motion is that on line seven, "no money appropriated for any item shall be used for any other purpose, but transfers of appropriations may, with the approval of the ~~Board of Representatives~~, Board of Finance and Board of Representatives", that's right. Actually, inserting Board of Finance would be done by the Commission as we re-instated the Board of Finance.

MR. TARZIA: It is a great idea. My only concern is, knowing how lengthy our meetings are, what this would be in terms of fiscal committee report, would the Committee be able to handle it? I think, through the Chair, maybe Mrs. Hawe can shed some light on this.

PRESIDENT SANTY: Mrs. Hawe, would you like to speak on this, in answer to that question?

MRS. HAWE: I was looking for the last minutes of the Board of Finance, but it was just the one where they set the mill rates, to see how many transfers, but I really think this is a good suggestion. The transfers for Capital Projects are done by the Board of Reps anyway; and the Operating transfers usually are not that controversial. Well, sometimes they are, but mainly they are not. I don't think it would increase our work that substantially. I do think that it would really give us a good handle on what goes on during the year in terms of departments and how they are spending their money. I mean, we can look at the print-outs now and we can see where they are transferring but I really think it is good to be able to approve or disapprove these transfers, because they are very important. We approve the line items each year in the budget, and then they can be transferred in or out without our even knowing it, so I would support Mr. DeLuca.

PRESIDENT SANTY: Are you finished, Mr. Tarzia?

MR. TARZIA: Well, the only thing I wanted to say, Madam President, I don't know if it is proper at this time, but I wanted to consider an amendment to that further down, where it says that an amount not to exceed \$500.00 can be transferred, I guess, with the approval of the Finance Commissioner. The possibility of increasing that to \$1,000.00, would that be out-of-order?

PRESIDENT SANTY: Yes, Mr. Tarzia, that motion is out-of-order at this time because we have a Motion on the floor and it is not pertaining to that motion at all. Next to speak to this motion, but you can make that motion when we dispense with this motion, Mr. Tarzia, is Mrs. Goldstein.

MRS. GOLDSTEIN: I am not in favor of the motion on the floor now. I really believe that, first of all, there are many, many, many transfers each month on the budget, and I don't believe there is anything wrong with transfers, intra-departmental transfers, that are approved by a fiscal body, because things do change during the year, and department heads should have the kind of leeway, the flexibility to make those changes. And it isn't even such a huge flexibility, knowing they have to go before one Board. I really think going before two Boards are too much. If we want to know what has transpired vis-a-vis transfers, we have minutes of the Board of Finance that come to us every month; and if we don't like the way those transfers have been going along, or if we feel it violates our intent, then for the next budget, we can act accordingly. I don't think the Board of Representatives should be involved in this process at all.

MR. BOCCUZZI: I have to agree with Mr. DeLuca on this one. I also have to agree that later on, we have to change the \$500.00. I think what happens with transfers is if you cut out a line item, and I have the agenda of the Board of Finance ^{for} this month; I didn't bring it with me because I didn't think it was going to come up. But there is a transfer within the Public Works Department of a large sum of money into uniforms. This is a line item that we knocked out at budget time. Now, something like \$72,000.00, or very close to that, it is a large amount of money, that we took out of the budget when the Board of Finance didn't at the time. Now if the Board of Finance didn't take it out, and we took it out, and the Commissioner of Public Works comes in for that transfer now, the Board of Finance approves it, we have nothing to say, and we definitely pulled it out at budget time. The reason I happen to know is that I was just reading the Board of Finance's minutes, today, and when I saw it, I almost flipped. It was something that we wanted out, and it's gone right into the transfer. So I have to agree with Gabe that we have to have some control over the Transfers, but I think we have a number somewhere down the line that protects us from having to vote on a \$25.00 transfer, or things of that nature. I think that \$500.00 has to be upped and then we can control a little better and do away with a lot of the work, and as Marie said, I don't think it is going to be that much work to get the transfers done.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. There being no further speakers, we will move right to a vote. The Motion on the floor is made by Mr. DeLuca that no money appropriated for any item shall be used for any other purpose, but transfers or appropriations made with the approval of the Board of Finance and the Board of Representatives. Please use your machine. Has everyone voted? APPROVED: 17 Affirmative, 5 Negative, 1 Abstaining, and 1 Non-Voting.

MR. TARZIA: I would like to make a Motion that, it's about the middle of the paragraph, it says: "A department or agency not to exceed \$500.00." I would like to increase that to \$1,500.00. Seconded by several.

PRESIDENT SANTY: It is right in the middle of the page. Go right down, it is four lines after the one we just voted on. There is a Motion on the floor "not to exceed \$1,500.00". Any discussion?

MRS. HAWE: Does Mr. Tarzia intend that to mean that the Board of Finance doesn't have to approve any transfer either of under \$1,500.00?

MR. TARZIA: Yes, just the Commissioner of Finance.

MRS. HAWE: I think that is reasonable.

PRESIDENT SANTY: Any other discussion? None. We will move right to a machine vote. Has everyone voted? APPROVED: 21 Affirmative and 2 Non-Voting.

MS. SUMMERVILLE: Before I make the Motion, I want to make sure my interpretation, the way I am reading this is correct. Through you to Chairperson Livingston, the last paragraph, it is understood, I know, that above there where they have the Board of Finance cut out, that that will be put back in, I am assuming, but when you get down to the point where it says "The Board of Finance (Representatives) may, then it says, subject to the approval within

Pg. 144 MS. SUMMERVILLE (continuing)...ten days of the Board of Representatives, am I interpreting that to say that the Board of Finance will be put back in, page 144?

PRESIDENT SANTY: Page 144, fifth line up from the bottom.

MS. SUMMERVILLE: They crossed it out, assuming that the Board of Finance will be eliminated. Now that will read the Board of Finance.

MR. LIVINGSTON: Yes, I agree with you, that should properly read "The Board of Finance."

MS. SUMMERVILLE: And would you just read, even if it says the Board of Finance, will it still mean that they are going to ask that subject to the approval within ten days of the Board of Representatives be taken out, because it is crossed out now?

MR. LIVINGSTON: Well, if we are troubled by it, I would suggest that we make...

MS. SUMMERVILLE: I am asking you, is that what it means? If so, I am making a Motion that we re-instate that line.

PRESIDENT SANTY: I think that is a good Motion on the floor. The Motion has been made and seconded that we re-instate that line, subject to approval within ten days of the Board of Representatives. Any discussion? No discussion? We will move right to a vote. We are voting on Ms. Summerville's motion, on page 144, 4th line up from the bottom, we are re-instating, the motion is "subject to the approval within ten days of the Board of Representatives", which was deleted by the Commission. We are re-instating that. Has everyone voted? APPROVED: 21 Affirmative and 3 Non-Voting.

MR. DeLUCA: Just one other minor change, in keeping with the previous amendments, would be Section 8-30-8, I believe it is the seventh line up from the bottom, or the twelfth line down from the top: In such cases Board of Finance and Board of Representatives' approval shall not be required. I would like to amend the Section to read: ^{and} Board of Representatives approval.

PRESIDENT SANTY: Right, that is a change there, seventh line from the bottom. In such cases, the Board of Finance and Board of Representatives' approval shall not be required. There is a motion made and seconded. Any discussion? We shall move right to a machine vote. Has everyone voted? APPROVED: 19 Affirmative and 5 Non-Voting. Mr. Livingston, I think we are now on Page 145.

Pg. 145 MR. LIVINGSTON: Correct, Madam President, Page 145.

PRESIDENT SANTY: I would ask the Leaders, Mr. Boccuzzi and Mr. DeLuca, to get the members back on the floor.

MR. LIVINGSTON: Again, Madam President, Page 145.

MRS. MAIHOCK: Under Section 8-30-11, the second to the last line, I would like to re-instate "provided the Board of Representatives concurs therein" in light of what we have previously decided.

PRESIDENT SANTY: Is there a Second to that Motion? Several. Any discussion? We are on Page 145, Section 8-30-11, the last words "provided the Board of Representatives concurs therein" which has been crossed out, Mrs. Maihock has made the Motion to reinstate.

MR. DONAHUE: I would just like to remind the members of the Board that we have not voted to cut the size of the Board of Representatives, that we have not voted to remove the Board of Finance. We have been stating all along that we assumed that the Commission will make the appropriate adjustments, if they take that into consideration. I don't think we have to start now re-instating those words wherever they appear or have been crossed out.

PRESIDENT SANTY: Your comments are well-taken, but there is a Motion on the floor. Mrs. Maihock is persistent that she wants this on the floor. Any other discussion. We will move right to a machine vote. Has everyone voted? APPROVED: 18 Yes, 1 No, and 5 Non-Voting.

PRESIDENT SANTY: I think at this time we should reiterate what we said on Tuesday, and what we said again this evening. All of these changes we assume that the Commission will revise the language. We have reinstated the Board of Finance. We have not reduced the Board of Representatives. They have the opportunity to send their recommendations back to us, and I am sure that they are very efficient and they will do their job thoroughly.

MR. DeLUCA: Yes, on Page 145, Section 8-30-13 Monies for Contracts or Grants. I would like to make a motion to delete this Section from the page here. It says that we MUST appropriate money, and I don't believe that we MUST appropriate money for any contracts or anything.

PRESIDENT SANTY: The motion has been made, with several seconds, to eliminate the entire Section 8-30-13 Monies for Contracts or Grants.

MS. SUMMERVILLE: Through you, to Representative DeLuca, I have problems with the MUST knowing that the law, I mean, I am just asking you, how are we going to negotiate contracts without money? How are you going to go in there and say do what you have to do, when there is no money?

MR. DeLUCA: What this is saying that, what happens, if you recall, we vote on the contract, and later on, they come back for the money. Now we can vote on a contract, or we can say, we might want to fund only a part of it; nothing says we have to fund it at all.

PRESIDENT SANTY: Any other speakers? None. We will move right to a machine vote. Has everyone voted?

MR. LIVINGSTON: I want to change my vote. I am abstaining on that.

PRESIDENT SANTY: The Motion PASSED: 19 Affirmative, 1 Negative, 3 Abstaining, 1 Non-Voting. Mr. Livingston, we are now on Page 146.

Pg. 146 MR. TARZIA: This concerns Section 8-40-5, although it is not an amendment. It is a statement, perhaps someone can guide me in this. I'm sorry, I'm
Pg. 147 on the wrong page, I meant 147, not 146.

MR. LIVINGSTON: We are on Page 147 now.

Pg. 148 MR. TARZIA: All right. Section 8-40-10. Page 148 actually. It deals with the Taxation of Motor Vehicles. It appears to me, at least, that as I drive through town, I see an awful lot of expensive cars with Florida license plates, to say the least, besides Vermont, and so forth. A lot of these cars I see parked month after month in the same driveways, not only in my District, I have to admit it is also in Springdale that it happens, but throughout the City. Now, I pay my taxes diligently as I assume all of us here do, but as cars become more expensive as the mill rate goes up every year, I think the City should make a concerted effort to make sure that these people abide with the State law which says, I believe, that if you reside over 60 days, you must register the car here in the City of Stamford, and the State. I think that somewhere, somehow, in the Charter perhaps make sure that the City gets after these people. It is an awful lot of tax money and it makes me boil when I have to go down and pay my taxes on my cars.

PRESIDENT SANTY: Mr. Tarzia, are you making a Motion?

MR. TARZIA: No, I just want perhaps some members can figure out a way of putting it in here. I really don't know how to do it, to be honest with you.

PRESIDENT SANTY: There is no Motion on the floor.

MR. LIVINGSTON: I was going to comment on that, but if there is no motion on the floor, I move to Page 148, 149, 150, 151, 152.

Pg. 153 MS. SUMMERVILLE: I would like to make a motion to re-instate on page 153, "in an official paper".

PRESIDENT SANTY: On Page 153, Section 8-60-4, eight lines from the bottom, or ten lines from the top. Motion made and Seconded. Any discussion? We will move right to a vote. Has everyone voted? APPROVED: 18 Affirmative and 6 Non-Voting.

MRS. MAIHOCK: Through you to Chairman Livingston, in Section 8-60-8, Page 154. I just wonder why "postage paid" was eliminated or deleted? Line 8 from the bottom.

PRESIDENT SANTY: I don't know if Mr. Livingston can answer that question.

MR. LIVINGSTON: You are certainly right, Madam President.

PRESIDENT SANTY: There is no motion on the floor.

MRS. MAIHOCK: Well, then I make a motion that it be re-instated because it was part of the Charter before.

PRESIDENT SANTY: I think, Mrs. Maihock, nothing will be received unless it is stamped. The postage has to be paid. But there is a Motion on the floor. Seconded.

MS. SUMMERVILLE: I have been told, do I have to tell who told, well, that you can't mail anything without postage. I take the Fifth.

MRS. MAIHOCK: In the legal profession, when you do mail out, I would just like to state, court papers, etc., there is a statement that attorneys must sign that says "postage paid". I don't know the reason for that, but I just wondered if there is a similar interpretation to this.

PRESIDENT SANTY: I don't know, Mrs. Maihock, and there is no discussion on that. There is a Motion on the floor. Please use your machine. The Motion is to re-instate "postage paid". Has every one voted?
The Motion is DEFEATED: 4 Affirmative, 13 Negative, 2 Abstaining, and 5 Non-Voting.

MR. LIVINGSTON: Page 155, 156, 157, 158.

Pg. 158 MS. SUMMERVILLE: First paragraph, Section 8-70-1 Auditor's Reports, I would like to make a Motion to re-instate "and to the Board of Representatives". Seconded.

PRESIDENT SANTY: The sentence reads "Representatives shall deliver copies of the Report to the Mayor and to the Board of Representatives". Any discussion? We will move right to a machine vote. Has every one voted?
Motion APPROVED: 21 Affirmative, 1 Abstaining, and 2 Non-Voting.

MR. LIVINGSTON: Page 159, 160, 161, 162, 163, 164, and that is the end.

MR. DIXON: I would just like to commend Mr. Livingston for getting so much done for us tonight.

MR. DONAHUE: I would just like to raise one Point of Information. I just heard that the uniforms that Mr. Boccuzzi alluded to a little while ago, the \$73,000 transfer for uniforms, is not for Public Works Department employees, it is for the Mayor's Baseball Team. (much laughter from the members.)

PRESIDENT SANTY: I would just like to announce that Mr. Donahue has been made permanent Assistant Parliamentarian.

MRS. GUROIAN: Could you please tell me. This is supposed to go to the Commission on the 22nd.

PRESIDENT SANTY: It has to be in their hands by the 22nd.

MRS. GUROIAN: By what date does it have to be back to us again?

PRESIDENT SANTY: Within 30 days; and then we have two weeks, 15 days after that to act upon it. There is a calendar for this that was sent out by Mr. Roos.

MR. TARZIA: Do we have to take a formal vote at the end? Before we take off.

MR. BOCCUZZI: I make a Motion that we send the recommendations of the Board of Representatives of both meetings to the Charter Revision Commission for their final action.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. The Motion has been made and seconded. All in favor, please say Aye. Opposed? CARRIED UNANIMOUSLY.

ADJOURNMENT:

Their being no further business to come before the Board this evening, upon Motion made, Seconded, and CARRIED UNANIMOUSLY, the meeting was adjourned at 9:33 P.M., with all members leaving by 9:50 P.M.

By Helen M. McEvoy
Helen M. McEvoy, Administrative Assistant
(and Recording Secretary)
Board of Representatives

APPROVED:

Jeanne Lois Santy
Jeanne-Lois Santy, President
17th Board of Representatives

JLS:AK:HM

Robert Pepi taped the meeting.